

SUBJECT: Extending the deadline for filing a wage claim from 180 days to one year

COMMITTEE: International Relations and Economic Development — favorable, without amendment

VOTE: 6 ayes — Anchia, Blanco, Larson, Metcalf, Perez, Raney

1 nay — Cain

2 absent — Frullo, Romero

WITNESSES: For — Caitlin Boehne, Equal Justice Center; Stephanie Gharakhanian and Caharon Medina, Workers Defense Action Fund; (*Registered, but did not testify*: Lauren Oertel, Austin Justice Coalition; Jonathan Lewis, Center for Public Policy Priorities; Charley Wilkison, Combined Law Enforcement Associations of Texas; Fatima Menendez, Mexican American Legal Defense and Educational Fund; Samantha Robles, Progress Texas; Currie Hallford, Texas Political & Legislative Committee/CWA; Rene Lara, Texas AFL-CIO; Ted Raab, Texas AFT; Portia Bosse, Texas State Teachers Association; Laura Monroy; Susan Motley; Edward Sills; Amanda Weems)

Against — (*Registered, but did not testify*: Jon Fisher, Associated Builders and Contractors of Texas; Annie Spilman, NFIB; James Hines, Texas Association of Business; Pamela Bratton, Texas State Council of Society for Human Resource Management)

On — (*Registered, but did not testify*: Chuck Ross, Texas Workforce Commission)

BACKGROUND: Labor Code sec. 61.051 sets a 180-day deadline for an employee who is unlawfully denied payment of wages to file a wage claim with the Texas Workforce Commission. The deadline is counted from the date that the wages claimed became due for payment.

DIGEST: HB 399 would extend the deadline for filing a wage claim with the Texas

Workforce Commission to the first anniversary after the date the wages claimed became due for payment, up from 180 days.

The bill would take effect September 1, 2019, and would apply to a claim for wages that became due for payment on or after March 5, 2019.

**SUPPORTERS
SAY:**

HB 399 would give shortchanged workers a more reasonable amount of time to make a wage claim. Workers may need more time to put together the necessary paperwork to make a claim, or an employer could deceive a worker for months that the worker will be paid until the deadline for filing a claim to recover all or part of the stolen wages has passed.

The bill's practical effect would be limited because only a small percentage of the population that experienced wage theft would need to file after the current 180-day timeframe.

**OPPONENTS
SAY:**

Extending the deadline for filing a wage claim could invite a larger number of claims to be filed, which would increase the administrative burden on the Texas Workforce Commission and contribute to larger, less efficient government.